

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IDA MAE WHITLEY,)	
)	
Plaintiff,)	
)	
v.)	Case No. 08-cv-3114
)	
TAYLOR, BEAN & WHITAKER MORTGAGE)	Judge Castillo
CORP.; ADVANCE LENDING GROUP,)	
CORP.; GIL & GIL GROUP CORP. REAL)	Magistrate Judge Valdez
ESTATE-LINCOLN; FAVIAN CARDENAS;)	
BLUE HORIZON REAL ESTATE CORP.; and)	
DOES 1-10,)	
)	
Defendants.)	

**MOTION TO EXTEND TIME TO ANSWER OR OTHERWISE PLEAD IN
RESPONSE TO FIRST AMENDED COMPLAINT**

Defendant Taylor, Bean & Whitaker Mortgage Corp. ("TBW"), by its attorneys, Thomas J. Cunningham, Simon Fleischmann, and Nathan W. Lamb, moves for a 30 day extension of time to answer or otherwise plead in response to Plaintiff's First Amended Complaint, and states as follows:

1. Plaintiffs filed their First Amended Complaint on August 11, 2008. (Docket No. 19.)
2. The First Amended Complaint significantly expands the allegations and theories asserted against TBW, increasing the number of claims from just two (2) in the original Complaint to twelve (12) separate causes of action in the First Amended Complaint. The new theories against TBW include violations of the Real Estate Settlement Procedures Act, 42 U.S.C. § 2601 et seq., in connection with the payment of a yield spread premium (Count II), common law fraud and civil conspiracy (Counts III and IV), negligent misrepresentation, negligence, and "negligent/intentional infliction of emotional distress"

(Count VI, VII, and VIII), inducement of breach of fiduciary duty (Count X), and a slew of lending discrimination claims, including violations of the Civil Rights Act, 42 U.S.C. § 1981, the Fair Housing Act, 42 U.S.C. § 3605, and the Equal Credit Opportunity Act, 15 U.S.C. § 1691 (Count XI, XII, and XIII)

3. TBW requests an additional 30 days to respond to the First Amended Complaint. TBW recognizes that the Court has accommodated previous requests for extensions in this case; however, the significant amount of new allegations, theories, and causes of action asserted in the First Amended Complaint leaves TBW with little choice but to request this additional extension.

4. TBW attempted to contact Plaintiffs' counsel to discuss this Motion, but Plaintiff's counsel is on vacation this week. This request is not made for purposes of delay, and no party will be prejudiced by the relief sought in this Motion.

WHEREFORE, Taylor, Bean & Whitaker Mortgage Corp. respectfully requests entry of an Order extending its time to answer or otherwise plead up to and including Monday, September 22, 2008, and granting such further relief as the Court finds just and appropriate.

DATED: August 21, 2008

Respectfully Submitted,

TAYLOR, BEAN & WHITAKER
MORTGAGE CORP.

By: /s/ Simon Fleischmann
One of its attorneys

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Simon Fleischmann (6274929)
Nathan W. Lamb (6286667)
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CERTIFICATE OF SERVICE

I, Simon Fleischmann, an attorney, certify that I caused the foregoing to be served upon all persons and entities registered and authorized to receive such service through the Court's Case Management / Electronic Case Files (CM/ECF) system on August 21, 2008.

/s/ Simon Fleischmann

Simon Fleischmann